

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

UNITED STATES OF AMERICA      )  
  )  
  )  
v.                                     )  
  )  
KEVIN RICHARD HALL,             )  
  )  
DEFENDANT                         )

**CRIMINAL No. 2:02-CR-31-DBH**

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On September 27, 2011, the United States Magistrate Judge filed with the court, with copies to the parties, her Recommended Decision on 28 U.S.C. § 2255 Motion. The defendant filed his objection to the Recommended Decision on October 11, 2011. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The government's motion for summary dismissal of the 28 U.S.C. § 2255 motion is **GRANTED**. A certificate of appealability shall not issue in the event the defendant files a notice of appeal because there is no

substantial showing of the denial of a constitutional right as contemplated by 28 U.S.C. § 2252(c)(2).

**So ORDERED.**

**DATED THIS 1<sup>ST</sup> DAY OF NOVEMBER, 2011**

/S/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**